UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,874	06/11/2001	Tony McCormack	476-2028	2638

23644   7590   02/22/2007

BARNES & THORNBURG LLP
P.O. BOX 2786
CHICAGO, IL 60690-2786

EXAMINER
PATEL, HARESH N

ART UNIT	PAPER NUMBER
2154	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	09/878,874	MCCORMACK ET AL.
	Examiner	Art Unit
	Haresh Patel	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 November 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8,10,11,19-23,25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8,10,11,19-23 and 25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-8, 10, 11, 19-23 and 25 are subject to examination. Claims 9, 12-18, 24 are

cancelled.

Response to Arguments

2.   Applicant's arguments filed 11/28/2006, pages 1-5,have been fully considered but they

are not persuasive. Therefore, rejection of claims 1-8, 10, 11, 19-23 and 25 is maintained.

Applicant argues (1), Summers et al., 6,876,734, eMeeting.net Inc., (Hereinafter

Summers-eMeeting does not disclose / teach / suggest claimed instructing **the telephony**

apparatus to automatically establish a telephone call, and states, "are two methods for a caller

to join the conference call. One is a dial-in method requiring the caller to enter the conference

telephone number or IP address and to then enter other information to authenticate the caller,

column 11, line 37 to column 12, line 9. The other method of joining comprises a 'dial-out'

method whereby a conference moderator enters the telephone number or IP address of a user to

be called, column 12, lines 26 to 43. It is beyond any doubt that in making a call (whether

telephony or IP connection) to 'dial-in' or 'dial out' by way of joining the conference call requires

manual entry of information. This is true even for the first caller, perhaps the moderator, wishing

to join the conference call".

The examiner respectfully disagrees in response to applicant's arguments. First, the

teachings of the Summers-eMeeting are not limited as concluded by the applicant. Second the

applicant provided above-statement regarding the Summers-eMeeting reference also does not

mention that the telephony apparatus does not automatically establish the telephone call.

Contrary to applicant's assertions, Summers-eMeeting discloses / teaches / suggests to instruct a

telephony apparatus (usage of PSTN, col., 3, lines 49 – 57, usage of conference bridge node, col.,

2, line 41) to automatically (without manual intervention, dynamic conference, col., 11, lines 1 –

14, col., 4, lines 44 – 48), establish a telephone call (usage of PSTN for the conference, col., 2,

lines 24 – 26, telephone call, col., 4, lines 30-39) over the communications network (the

conference using telephone network and/or public network and/or private network, col., 3, lines

47 – 54) between the source and the destination specified in the request (conference

requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 –

65, other anticipated caller of the conference, col., 4, lines 57 – 66, provided in the setup of the

conference, col., 5, lines 36 – 39). Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van*

Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The First inquiry must be into exactly

what the claims define. See *In re Wilder*, **166 USPQ 545, 548 (CCPA 1970).** Further, the

specification of this application under prosecution at page 14, lines 5 – 10, clearly states, "Any

range or device value given herein may be extended or altered without losing the effect sought,

as will be apparent to the skilled person for an understanding of the teachings herein. A range of

applications are within the scope of the invention". Since, applicant's claims contain broadly

claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject

matter. Therefore, the rejection is maintained.

Applicant argues (2), the examiner provided reasons to combine the teachings of the

references are improper, does not teach all the claimed limitations, and would not result in the

arrangement of the present invention meaning reasonable expectation of success and states that

one would not be motivated to combine system of Summers-eMeeting and system of the Nokia

Mobile Phones Limited (Hereinafter Linden-Nokia).

The examiner respectfully disagrees in response to applicant's arguments. First, the

assertion that there is need to combine the two systems of the Summers and Linden has to be

combined. In fact, the Linden-Nokia reference is utilized to show that the concept of the using

the URI for the request is well-known in the art. Please see that the Linden-Nokia discloses a

well-known concept of using the uniform resource identifier (URI) (usage of URI for identifying

information for the request, abstract, lines 7 - 14). Regarding the applicant's concern about all

the claimed limitations of the claim Summers-eMeeting discloses **a method of** (audio, video or

data or other conferencing using telephone network and/or public network and/or private

network, col., 3, lines 47 – 54) **automatically establishing** (without manual intervention,

dynamic conference setting by allocation of resources for a requested conference, col., 11, lines 1

– 14, col., 4, lines 44 – 48), **a telephone call** (participating through telephone, item 230, figure 6,

telephone call, col., 4, lines 30-39) **over a communications network** (telephone network and/or

public network and/or private network, col., 3, lines 47 – 54) **between a call source** (conference

requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 –

65) **and a destination** (other anticipated caller of the conference, col., 4, lines 57 – 66) **at a**

specified future time (a scheduled start date and time compared to when the conference is setup,

col., 4, lines 58 – 62, figure 5, item 202) **using a web-based** (web and Internet based, col., 5,

lines 17 – 21), **telephony** (audio or video, col., 3, lines 47 – 54) **application** (usage of software

at web sever, col., 5, lines 17-25) **hosted by a web server** (at web server / file server, col., 5,

lines 19-20), **said web server being located remotely** (over network, col., 4, lines 16-19) **from**

the call source (conference requesting/setting customer and/or entity that is to be billed for the

conference, col., 4, lines 55 – 65), **receiving** (receiving information regarding conference, col., 5,

lines 48 – 56) **at the web server** (at web server / file server, col., 5, lines 19-20) **a request**

(setting up a conference, col., 5, lines 36 – 39, participating through telephone and/or

participating through Internet, item 230 of figure 6) **comprising the specified future time** (a

scheduled start date and time of the conference to take place compared to when the conference is

setup, col., 4, lines 58 – 62, figure 5, item 202) **relative to the time of creation of the request**

(when the conference is setup, col., 4, lines 58 – 62, figure 5, item 202) **and also comprising**

information about the call source (information regarding conference requesting/setting

customer and/or entity that is to be billed for the conference, col., 4, lines 55 – 65) **and the**

destination (information regarding other anticipated caller of the conference, col., 4, lines 57 –

66); and **arranging** (displaying and putting together conference parameters during conference

setup, col., 9, lines 19 – 35, express setup versus detailed setup, col., 9, lines 14 - 19) **the web-**

based telephony application (usage of software at web sever, col., 5, lines 17-25) **to access the**

request (support the scheduling of the conference, col., 9, lines 22 – 24) **and at the specified**

future time specified in the request (at scheduled start date and time, col., 4, lines 58 – 62,

figure 5, item 202), **to instruct a telephony apparatus** (usage of PSTN, col., 3, lines 49 – 57,

usage of conference bridge node, col., 2, line 41) **to automatically** (without manual intervention,

dynamic conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48), **establish a telephone call**

(usage of PSTN for the conference, col., 2, lines 24 – 26, telephone call, col., 4, lines 30-39)

over the communications network (the conference using telephone network and/or public

network and/or private network, col., 3, lines 47 – 54) **between the source and the destination**

specified in the request (conference requesting/setting customer and/or entity that is to be billed

for the conference, col., 4, lines 55 – 65, other anticipated caller of the conference, col., 4, lines

57 – 66, provided in the setup of the conference, col., 5, lines 36 – 39). Summers-eMeeting also

discloses usage of HTML, web setup, web pages, forms, e-mail, and other suitable information

for a user to setup and/or progress the conference (col., 5, lines 17 – 23). Linden-Nokia discloses

a well-known concept of using **the uniform resource identifier (URI)** (usage of URI for

identifying information for the request, abstract, lines 7 - 14). It would have been obvious to one

of ordinary skill in the art at the time the invention was made to combine the teachings of

Summers-eMeeting with the teachings of Linden-Nokia in order to facilitate usage of the

uniform resource identifier (URI) because the URI would enhance representing information for

the request. Since, the URI contains a character string that is used to identify an item from

anywhere on the Internet, the URI would support identifying the information presented by the

Summers-eMeeting's request. Using the URI, the information of the Summers-eMeeting's

request would be communicated to the server over the network.

In response to applicant's argument that there is no suggestion to combine the references,

the examiner recognizes that obviousness can only be established by combining or modifying the

teachings of the prior art to produce the claimed invention where there is some teaching,

suggestion, or motivation to do so found either in the references themselves or in the knowledge

generally available to one of ordinary skill in the art. See *In re Fine*, **837 F.2d 1071, 5**

USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir.

1992).

The claim is open-ended (comprising). Also, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of a primary reference. It is also not that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinally skill in the art. *In re Keller*, **642 F.2d 414, 425, 208 USPQ 871, 881 (CCPA 1981);** *In re Young*, **927 F.2d 588, 591, 18 USPQ2d 1089, 1091 (Fed. Cir. 1991).**

The reason or motivation to modify the reference may often suggest what the inventor has done, but for a different purpose or to solve a different problem. It is not necessary that the prior art suggest the combination to achieve the same advantage or result discovered by applicant. *In re Linter*, **458 F.2d 1013, 173 USPQ 560 (CCPA 1972).** There is no requirement that the prior art provide the same reason as the applicant to make the claimed invention. *Ex parte Levengood*, **28 USPQ2d 1300, 1302 (Bd. Pat. App. & Inter. 1993).**

In response to the references containing a suggestion of any expectation of success, it is well established that a conclusion of obviousness may be made based on a combination of references based on a reason, suggestion or motivation to lead an inventor to combine those references. *In re Pro-Mold and Tool Co. v. Great Lakes Plastic Inc.*, **37 USPQ2d 1626, 1629 (Fed. Cir. 1996).**

Since the cited references disclose the well-known concept of the usage of the URI as disclosed above, hence, the rejection is maintained.

Note: Regarding the applicant's usage of "**wherein**" **and/or** "**whereby**" **and/or** "**adapted to**" **and/or** "**adapted for**" in the claimed subject matter of the claims, the claim scope is not limited by claim language that suggests or makes optional but does not require steps to be

performed, or by claim language that does not limit a claim to a particular structure. Please see

Minton v. Nat 'l Ass 'n of Securities Dealers, Inc., 336 F.3d 1373, 1381, 67 USPQ2d 1614,

1620 (Fed. Cir. 2003)), MPEP 2111.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3.   **Amended** claims 1, 11 and its dependent claims are rejected under 35 U.S.C. 112, first

paragraph, as failing to comply with the written description requirement. The claim(s) contains

subject matter, which was not described in the specification of this application under

examination in such a way as to reasonably convey to one skilled in the relevant art to use and/or

make the invention.

4.   The specification of this application under examination does not contain subject matter to

implement amended limitations, "to **instruct/control** a telephony apparatus to **automatically**

establish a telephone", as cited in the claims 1, 11 and its dependent claims.   As the applicant

mentioned in the remark dated 11/28/2006, the specification fails to define what is considered as

automatically, because the URI content is indeed driven by the manual provided specified future

time. The specified future time is not without manual intervention. Also, the telephony apparatus

does not automatically establish the telephone by itself but it is provided instruction/control as

claimed, which is contrary to automatic. The instruction/control is dependent on the manually

provided specified future time. The claim invention, i.e., claimed invention fails to define what is

considered as automatic as the claimed invention contains manually provided time and the

specification fails to mention about without manual intervention. Also, the applicant's

replacement of the "set up" with the "establish" is not supported by the specification.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 1-3, 11, 19 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Summers et al., 6,876,734, eMeeting.net Inc., (Hereinafter Summers-eMeeting) in view of

Linden et al., 6,549,773, Nokia Mobile Phones Limited (Hereinafter Linden-Nokia).

7.   Referring to claim 1, Summers-eMeeting discloses a method of (audio, video or data or

other conferencing using telephone network and/or public network and/or private network, col.,

3, lines 47 – 54) automatically establishing (without manual intervention, dynamic conference

setting by allocation of resources for a requested conference, col., 11, lines 1 – 14, col., 4, lines

44 – 48), a telephone call (participating through telephone, item 230, figure 6, telephone call,

col., 4, lines 30-39) over a communications network (telephone network and/or public network

and/or private network, col., 3, lines 47 – 54) between a call source (conference

requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 –

65) and a destination (other anticipated caller of the conference, col., 4, lines 57 – 66) at a

specified future time (a scheduled start date and time compared to when the conference is setup,

col., 4, lines 58 – 62, figure 5, item 202) using a web-based (web and Internet based, col., 5, lines

17 – 21), telephony (audio or video, col., 3, lines 47 – 54) application (usage of software at web

sever, col., 5, lines 17-25) hosted by a web server (at web server / file server, col., 5, lines 19-

20), said web server being located remotely (over network, col., 4, lines 16-19) from the call

source (conference requesting/setting customer and/or entity that is to be billed for the

conference, col., 4, lines 55 – 65), said method comprising the steps of:

(i) receiving (receiving information regarding conference, col., 5, lines 48 – 56) at the

web server (at web server / file server, col., 5, lines 19-20) a request (setting up a conference,

col., 5, lines 36 – 39, participating through telephone and/or participating through Internet, item

230 of figure 6) comprising the specified future time (a scheduled start date and time of the

conference to take place compared to when the conference is setup, col., 4, lines 58 – 62, figure

5, item 202) relative to the time of creation of the request (when the conference is setup, col., 4,

lines 58 – 62, figure 5, item 202) and also comprising information about the call source

(information regarding conference requesting/setting customer and/or entity that is to be billed

for the conference, col., 4, lines 55 – 65) and the destination (information regarding other

anticipated caller of the conference, col., 4, lines 57 – 66); and

(ii) arranging (displaying and putting together conference parameters during conference

setup, col., 9, lines 19 – 35, express setup versus detailed setup, col., 9, lines 14 - 19) the web-

based telephony application (usage of software at web sever, col., 5, lines 17-25) to access the

request (support the scheduling of the conference, col., 9, lines 22 – 24) and at the specified

future time specified in the request (at scheduled start date and time, col., 4, lines 58 – 62, figure

5, item 202), to instruct a telephony apparatus (usage of PSTN, col., 3, lines 49 – 57, usage of

conference bridge node, col., 2, line 41) to automatically (without manual intervention, dynamic

conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48), establish a telephone call (usage of

PSTN for the conference, col., 2, lines 24 – 26, telephone call, col., 4, lines 30-39) over the

communications network (the conference using telephone network and/or public network and/or

private network, col., 3, lines 47 – 54) between the source and the destination specified in the

request (conference requesting/setting customer and/or entity that is to be billed for the

conference, col., 4, lines 55 – 65, other anticipated caller of the conference, col., 4, lines 57 – 66,

provided in the setup of the conference, col., 5, lines 36 – 39).

Summers-eMeeting also discloses usage of HTML, web setup, web pages, forms, e-mail,

and other suitable information for a user to setup and/or progress the conference (col., 5, lines 17

– 23).

However, Summers-eMeeting does not specifically mention about the request being a

uniform resource identifier (URI).

Linden-Nokia discloses a well-known concept of using the uniform resource identifier

(URI) (usage of URI for identifying information for the request, abstract, lines 7 - 14).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting with the teachings of Linden-Nokia in

order to facilitate usage of the uniform resource identifier (URI) because the URI would enhance

representing information for the request. Since, the URI contains a character string that is used to

identify an item from anywhere on the Internet, the URI would support identifying the

information presented by the Summers-eMeeting's request. Using the URI, the information of the Summers-eMeeting's request would be communicated to the server over the network.

8.   Referring to claim 2, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said step (i) comprises receiving the request (setting up a conference, col., 5, lines 36 – 39, participating through telephone and/or participating through Internet, item 230 of figure 6) from another entity (IP address of the another user to be joined, col., 5, lines 17 – 23) selected from a web site (usage of HTML, web setup, web pages, forms, col., 5, lines 17 – 23, usage of Internet-enabled interface, web setup software and web browser, col., 6, lines 10 - 12) and a software application on a user terminal (conference control software, web setup software, web monitoring software on a user computer, col., 5, line 57 – col., 6, line 12).

9.   Referring to claim 3, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said step (i) comprises receiving the request (setting up a conference, col., 5, lines 36 – 39, participating through telephone and/or participating through Internet, item 230 of figure 6) from a web-based conference call booking application (conference control software, web setup software, web monitoring software on a user computer for setting up the conference, col., 5, line 57 – col., 6, line 12).

10.   Referring to claim 11, Summers-eMeeting discloses a web-based (web and Internet

based, col., 5, lines 17 – 21), telephony (audio or video, col., 3, lines 47 – 54) application (usage

of software at web sever, col., 5, lines 17-25) for automatically establishing (without manual

intervention, dynamic conference setting by allocation of resources for a requested conference,

col., 11, lines 1 – 14, col., 4, lines 44 – 48), a telephone call (participating through telephone,

item 230, figure 6, telephone call, col., 4, lines 30-39) over a communications network

(telephone network and/or public network and/or private network, col., 3, lines 47 – 54) between

a source (conference requesting/setting customer and/or entity that is to be billed for the

conference, col., 4, lines 55 – 65) and a destination (other anticipated caller of the conference,

col., 4, lines 57 – 66) at a specified future time (a scheduled start date and time compared to

when the conference is setup, col., 4, lines 58 – 62, figure 5, item 202), said web-based (web and

Internet based, col., 5, lines 17 – 21), telephony (audio or video, col., 3, lines 47 – 54)

application (usage of software at web sever, col., 5, lines 17-25) hosted by a web server (at web

server / file server, col., 5, lines 19-20), located remotely (over network, col., 4, lines 16-19)

from the source (conference requesting/setting customer and/or entity that is to be billed for the

conference, col., 4, lines 55 – 65), the web-based telephony application comprising :

        (i) an input arranged to receive (receiving information regarding conference, usage of

interface and/or software, col., 5, lines 48 – 56) a request (setting up a conference, col., 5, lines

36 – 39, participating through telephone and/or participating through Internet, item 230 of figure

6) comprising the specified future time (a scheduled start date and time of the conference to take

place compared to when the conference is setup, col., 4, lines 58 – 62, figure 5, item 202) relative

to the time of creation of the request (when the conference is setup, col., 4, lines 58 – 62, figure

5, item 202) and also comprising information about the source (information regarding conference requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 – 65) and the destination (information regarding other anticipated caller of the conference, col., 4, lines 57 – 66), and

(ii) a computer program arranged (displaying and putting together conference parameters during conference setup, col., 9, lines 19 – 35, express setup versus detailed setup, col., 9, lines 14 - 19) to access the request (support the scheduling of the conference, col., 9, lines 22 – 24) and at the specified future time specified in the request (at scheduled start date and time, col., 4, lines 58 – 62, figure 5, item 202), to instruct a telephony apparatus (usage of PSTN, col., 3, lines 49 – 57, usage of conference bridge node, col., 2, line 41) to automatically (without manual intervention, dynamic conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48), establish a telephone call (usage of PSTN for the conference, col., 2, lines 24 – 26, telephone call, col., 4, lines 30-39) over the communications network (the conference using telephone network and/or public network and/or private network, col., 3, lines 47 – 54) between the source and the destination specified in the request (conference requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 – 65, other anticipated caller of the conference, col., 4, lines 57 – 66, provided in the setup of the conference, col., 5, lines 36 – 39).

Summers-eMeeting also discloses usage of HTML, web setup, web pages, forms, e-mail, and other suitable information for a user to setup and/or progress the conference (col., 5, lines 17 – 23).

However, Summers-eMeeting does not specifically mention about the request being a uniform resource identifier (URI).

Linden-Nokia discloses a well-known concept of using the uniform resource identifier

(URI) (usage of URI for identifying information for the request, abstract, lines 7 - 14).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting with the teachings of Linden-Nokia in

order to facilitate usage of the uniform resource identifier (URI) because the URI would enhance

representing information for the request. Since, the URI contains a character string that is used to

identify an item from anywhere on the Internet, the URI would support identifying the

information presented by the Summers-eMeeting's request. Using the URI, the information of

the Summers-eMeeting's request would be communicated to the server over the network.

11.   Referring to claim 19, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 11. Summers-eMeeting also discloses a web-browser (usage of

HTML, web setup, web pages, forms, col., 5, lines 17 – 23, usage of Internet-enabled interface,

web setup software and web browser, col., 6, lines 10 - 12) which is arranged to receive a

plurality of requests (one or more conferences, col., 2, lines 38 – 39), each comprising time

information (start data and time, stop date and time, duration, col., 4, lines 58 – 62), and to select

one of the plurality of requests (conference request, col., 2, lines 38 – 39) on the basis of the

time information in said requests (scheduled start date and time of the conference to take place

of the conferences, col., 4, lines 58 – 62, figure 5, item 202).

12.   Referring to claim 21, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 11. Summers-eMeeting also discloses a processor (processor of

web server / file server, col., 5, lines 19-20), which is connected to the communications network

(coupled to the network, col., 4, lines 16-19) such that requests are created (usage of HTML, web

setup, web pages, forms, col., 5, lines 17 – 23, usage of Internet-enabled interface, web setup

software and web browser, col., 6, lines 10 - 12) which comprise time information (start data and

time, stop date and time, duration, col., 4, lines 58 – 62), and sent to other entities (PSTN, col., 3,

lines 49 – 57, conference bridge node, etc., col., 2, line 41) in within an internet protocol

telephony communications network (telephone network and/or public network and/or private

network, or both, col., 3, lines 47 – 54) for the purposes of establishing a telephony call (setup of

a telephone call, col., 4, lines 30-39).

13.   Referring to claim 22, Summers-eMeeting discloses a method of (audio, video or data or

other conferencing using telephone network and/or public network and/or private network, col.,

3, lines 47 – 54) establishing (without manual intervention, dynamic conference setting by

allocation of resources for a requested conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48), a

telephony communication (participating through telephone, item 230, figure 6, telephone call,

col., 4, lines 30-39) between a source (conference requesting/setting customer and/or entity that

is to be billed for the conference, col., 4, lines 55 – 65) and a destination (other anticipated caller

of the conference, col., 4, lines 57 – 66) over a communications network (telephone network

and/or public network and/or private network, col., 3, lines 47 – 54) at a specified future time (a

scheduled start date and time compared to when the conference is setup, col., 4, lines 58 – 62,

figure 5, item 202) using a web-based (web and Internet based, col., 5, lines 17 – 21), telephony

(audio or video, col., 3, lines 47 – 54) application (usage of software at web sever, col., 5, lines

17-25) hosted by a web server (at web server / file server, col., 5, lines 19-20) located remotely

(over network, col., 4, lines 16-19) from the source (conference requesting/setting customer

and/or entity that is to be billed for the conference, col., 4, lines 55 – 65), said method

comprising the steps of:

(i) receiving (receiving information regarding conference, col., 5, lines 48 – 56) at the

web server (at web server / file server, col., 5, lines 19-20) a request (setting up a conference,

col., 5, lines 36 – 39, participating through telephone and/or participating through Internet, item

230 of figure 6) comprising the specified future time (a scheduled start date and time of the

conference to take place compared to when the conference is setup, col., 4, lines 58 – 62, figure

5, item 202) relative to the creation of the request (when the conference is setup, col., 4, lines 58

– 62, figure 5, item 202) and also comprising information about the source (information

regarding conference requesting/setting customer and/or entity that is to be billed for the

conference, col., 4, lines 55 – 65) and the destination (information regarding other anticipated

caller of the conference, col., 4, lines 57 – 66); and

(ii) arranging (displaying and putting together conference parameters during conference

setup, col., 9, lines 19 – 35, express setup versus detailed setup, col., 9, lines 14 - 19) the web-

based telephony application (usage of software at web sever, col., 5, lines 17-25) to access the

request (support the scheduling of the conference, col., 9, lines 22 – 24) and at the specified

future time specified in the request (at scheduled start date and time, col., 4, lines 58 – 62, figure

5, item 202), to instruct a telephony apparatus (usage of PSTN, col., 3, lines 49 – 57, usage of

conference bridge node, col., 2, line 41) to automatically (without manual intervention, dynamic

conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48), connecting (usage of PSTN for the

conference, col., 2, lines 24 – 26, telephone call, col., 4, lines 30-39, the conference using

telephone network and/or public network and/or private network, col., 3, lines 47 – 54) the

source and the destination as specified in the request (conference requesting/setting customer

and/or entity that is to be billed for the conference, col., 4, lines 55 – 65, other anticipated caller

of the conference, col., 4, lines 57 – 66, provided in the setup of the conference, col., 5, lines 36

– 39) to effect the telephony communication (conference setting by allocation of resources for a

requested conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48).

Summers-eMeeting also discloses usage of HTML, web setup, web pages, forms, e-mail,

and other suitable information for a user to setup and/or progress the conference (col., 5, lines 17

– 23).

However, Summers-eMeeting does not specifically mention about the request being a

uniform resource identifier (URI).

Linden-Nokia discloses a well-known concept of using the uniform resource identifier

(URI) (usage of URI for identifying information for the request, abstract, lines 7 - 14).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting with the teachings of Linden-Nokia in

order to facilitate usage of the uniform resource identifier (URI) because the URI would enhance

representing information for the request. Since, the URI contains a character string that is used to

identify an item from anywhere on the Internet, the URI would support identifying the

information presented by the Summers-eMeeting's request. Using the URI, the information of

the Summers-eMeeting's request would be communicated to the server over the network.

14.   Referring to claim 23, Summers-eMeeting discloses a web-based (web and Internet

based, col., 5, lines 17 – 21), telephony (audio or video, col., 3, lines 47 – 54) application (usage

of software at web sever, col., 5, lines 17-25) for automatically establishing (without manual

intervention, dynamic conference setting by allocation of resources for a requested conference,

col., 11, lines 1 – 14, col., 4, lines 44 – 48), a telephone call (participating through telephone,

item 230, figure 6, telephone call, col., 4, lines 30-39) between a source (conference

requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 –

65) and a destination (other anticipated caller of the conference, col., 4, lines 57 – 66) over a

communications network (telephone network and/or public network and/or private network, col.,

3, lines 47 – 54), said web-based (web and Internet based, col., 5, lines 17 – 21), telephony

(audio or video, col., 3, lines 47 – 54) application (usage of software at web sever, col., 5, lines

17-25) hosted by a web server (at web server / file server, col., 5, lines 19-20), located remotely

(over network, col., 4, lines 16-19) from the source (conference requesting/setting customer

and/or entity that is to be billed for the conference, col., 4, lines 55 – 65), the web-based

telephony application comprising :

        (i) an input arranged to receive (receiving information regarding conference, usage of

interface and/or software, col., 5, lines 48 – 56) a request (setting up a conference, col., 5, lines

36 – 39, participating through telephone and/or participating through Internet, item 230 of figure

6) comprising a specified future time (a scheduled start date and time of the conference to take

place compared to when the conference is setup, col., 4, lines 58 – 62, figure 5, item 202) relative

to the time of creation of the request (when the conference is setup, col., 4, lines 58 – 62, figure

5, item 202) and also comprising information about the source (information regarding conference

requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 –

65) and the destination (information regarding other anticipated caller of the conference, col., 4,

lines 57 – 66), and

(ii) a computer program arranged (displaying and putting together conference parameters

during conference setup, col., 9, lines 19 – 35, express setup versus detailed setup, col., 9, lines

14 - 19) to access the request (support the scheduling of the conference, col., 9, lines 22 – 24)

and at the specified future time specified in the request (at scheduled start date and time, col., 4,

lines 58 – 62, figure 5, item 202), to automatically (without manual intervention, dynamic

conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48), connect the source and the destination

(usage of PSTN, col., 3, lines 49 – 57, usage of conference bridge node, col., 2, line 41) to route

the telephony communication (usage of PSTN for the conference, col., 2, lines 24 – 26,

telephone call, col., 4, lines 30-39, setting up conference without manual intervention between

requesting/setting customer and/or entity that is to be billed for the conference, col., 4, lines 55 –

65, and other anticipated caller of the conference, col., 4, lines 57 – 66, provided in the setup of

the conference, col., 5, lines 36 – 39) over the communications network (the conference using

telephone network and/or public network and/or private network, col., 3, lines 47 – 54).

Summers-eMeeting also discloses usage of HTML, web setup, web pages, forms, e-mail,

and other suitable information for a user to setup and/or progress the conference (col., 5, lines 17

– 23).

However, Summers-eMeeting does not specifically mention about the request being a

uniform resource identifier (URI).

Linden-Nokia discloses a well-known concept of using the uniform resource identifier

(URI) (usage of URI for identifying information for the request, abstract, lines 7 - 14).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting with the teachings of Linden-Nokia in

order to facilitate usage of the uniform resource identifier (URI) because the URI would enhance

representing information for the request. Since, the URI contains a character string that is used to

identify an item from anywhere on the Internet, the URI would support identifying the

information presented by the Summers-eMeeting's request. Using the URI, the information of

the Summers-eMeeting's request would be communicated to the server over the network.

15.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-

eMeeting in view of Linden-Nokia and in further view of Higgins et al., U. S. Publication

2002/0116505, Sun Microsystems (Hereinafter Higgins-Sun).

16.   Referring to claim 4, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 1. Summers-eMeeting also discloses said step (i) comprises

receiving the request (setting up a conference, col., 5, lines 36 – 39, participating through

telephone and/or participating through Internet, item 230 of figure 6) from an application

(conference control software, web setup software, web monitoring software on a user computer

for setting up the conference, col., 5, line 57 – col., 6, line 12) on a user terminal (on a user

computer, col., 5, line 57 – col., 6, line 12). However, Summers-eMeeting and Linden-Nokia do

not disclose the application being a calendar application.

Higgins-Sun discloses a well-known concept of using a calendar application (usage of a URI along with a calendar user application, paragraph 50, page 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Higgins-Sun in order to facilitate usage of the calendar application because the calendar application would enhance organizing information that is further used for scheduling. The calendar application would support handling information that would be used in the request and communicated to the server over the network.

17.   Claims 5 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-eMeeting in view of Linden-Nokia and in further view of Lippert et al., 6,626,957, Microsoft Corporation (Hereinafter Lippert-Microsoft).

18.   Referring to claim 5, Summers-eMeeting and Linden-Nokia disclose the claimed limitations rejected under claim 1. Summers-eMeeting also discloses said request comprises time information (time information, col., 4, lines 58 – 62, figure 5, item 202). However, Summers-eMeeting and Linden-Nokia do not disclose the time information being time zone information.

Higgins-Sun discloses a well-known concept of using a time zone information (usage of a URI along with time zone information, col., 13, lines 25 - 32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings of Lippert-Microsoft in order to facilitate usage of the time zone information because the time

zone information would provide local time variations along with the time information that is

used for scheduling. The local time variations along with the time information would be

communicated to the server over the network and used to setup a conference in future.

19.   Referring to claim 25, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 11. Summers-eMeeting also discloses the request includes

address information (conference IP address, col., 4, lines 58 – 62, figure 5, item 226), password

information (password or authentication information, col., 12, lines 61 – 66, figure 5, item 230),

protocol information (Internet protocol, col., 4, lines 58 – 62), time information (time

information, col., 4, lines 58 – 62, figure 5, item 202). However, Summers-eMeeting and Linden-

Nokia do not disclose the time information being time zone information.

Higgins-Sun discloses a well-known concept of using a time zone information (usage of a

URI along with time zone information, col., 13, lines 25 - 32).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings

of Lippert-Microsoft in order to facilitate usage of the time zone information because the time

zone information would provide local time variations along with the time information that is

used for scheduling. The local time variations along with the time information would be

communicated to the server over the network and used to setup a conference in future.

20.   Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-

eMeeting in view of Linden-Nokia and in further view of Voit et al., 6,215,790, Bell Atlantic,

(Hereinafter Voit-Bell Atlantic).

21.   Referring to claim 6, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 1. Summers-eMeeting also discloses said information about the

call destination comprises a number (information about other anticipated caller of the

conference, col., 4, lines 57 – 66). However, Summers-eMeeting and Linden-Nokia do not

disclose the number being directory number.

        Voit-Bell Atlantic discloses a well-known concept of using a directory number (DN)

(usage of destination directory number, col., 7, lines 47 - 59).

        It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings

of Voit-Bell Atlantic in order to facilitate usage of the directory number because the directory

number would provide information on which telephone over the network is used as the call

destination. The call destination information would be used for scheduling the communication

between the call source and the call destination.

22.   Referring to claim 7, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 1. Summers-eMeeting also discloses said request comprises a

plurality of numbers (information and numbers of other anticipated caller of the conference, col.,

4, lines 57 – 66) and a plurality of time ranges (one or more conferences, col., 2, lines 38 – 39,

start data and time, stop date and time, duration, col., 4, lines 58 – 62), one for each number (one

or more telephone numbers, col., 4, lines 30-39). However, Summers-eMeeting and Linden-

Nokia do not disclose the numbers being directory numbers.

Voit-Bell Atlantic discloses a well-known concept of using a directory numbers (DN)

(usage of destination directory number, col., 7, lines 47 - 59).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings

of Voit-Bell Atlantic in order to facilitate usage of the directory numbers because the directory

numbers would provide information which respective telephones over the network are used as

the call devices. The call device information would be used for scheduling the conferences.

23.   Referring to claim 8, Summers-eMeeting, Linden-Nokia and Voit-Bell Atlantic disclose

the claimed limitations rejected under claims 1 and 7. Summers-eMeeting also discloses said setp

(ii) comprises instructing the telephony apparatus (usage of PSTN, col., 3, lines 49 – 57, usage of

conference bridge node, col., 2, line 41) to automatically (without manual intervention, dynamic

conference, col., 11, lines 1 – 14, col., 4, lines 44 – 48), establish a telephone call (usage of

PSTN for the conference, col., 2, lines 24 – 26, telephone call, col., 4, lines 30-39) to one of the

numbers (one or more telephone numbers, col., 4, lines 30-39) depending on the current time (at

the scheduled time compared to when the conference is setup, col., 4, lines 58 – 62, figure 5,

item 202) and the time ranges (one or more conferences, col., 2, lines 38 – 39, start data and

time, stop date and time, duration, col., 4, lines 58 – 62).

24.   Claims 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-

eMeeting in view of Linden-Nokia and in further view of Yiu et al., 2003/0181205, Openwave,

(Hereinafter Yiu-Openwave).

25.   Referring to claim 10, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 1. Summers-eMeeting also discloses instructing the telephony

apparatus (by PSTN, col., 3, lines 49 – 57, by conference bridge node, col., 2, line 41) to display

information at the call source (information about the conference, col., 6, lines 6-12). However,

Summers-eMeeting and Linden-Nokia do not disclose displaying a URI at a telephone terminal.

Yiu-Openwave discloses a well-known concept of displaying a URI at a telephone

terminal (telephone to display information related to the URI, paragraph 31, page 3).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings

of Yiu-Openwave in order to facilitate usage of displaying a URI at a telephone terminal because

the display at the telephone terminal would provide a user with the information that is provided

by the URI. Using the display the user would be able to see the status of the telephone setup that

is scheduled between the call source and the call destination.

26.   Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Summers-

eMeeting in view of Linden-Nokia and further in view of Low et al., 6,798,771, Hewlett Packard

(Hereinafter Low-Hewlett).

27.   Referring to claim 20, Summers-eMeeting and Linden-Nokia disclose the claimed

limitations rejected under claim 19. Summers-eMeeting also discloses arranging requests which

comprise time information (scheduling conferences based on start data and time, stop date and

time, duration, of the request, col., 4, lines 58 – 62). However, Summers-eMeeting and Linden-

Nokia do not disclose a parser arranged to parse URIs.

Low-Hewlett discloses a well-known concept of a parser arranged to parse URIs

(telephone to display information related to the URI, col., 33, lines 3 – 18).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Summers-eMeeting and Linden-Nokia with the teachings

of Low-Hewlett in order to facilitate usage of a parser arranged to parse URIs because the parse

would enhance parsing and/or separating the URIs. Based on the information contained in the

URIs, the parse would be able to parse and/or separate the requests and/or URIs for scheduling

the conferences. The parsing would help prioritize among the conferences.

Conclusion

28.   The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and

not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Examiner has cited particular columns and line numbers and/or paragraphs and/or

sections and/or page numbers in the reference(s) as applied to the claims above for the

convenience of the applicant. Although the specified citations are representative of the teachings

of the art and are applied to the specific limitations within the individual claim, other passages

and figures may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in entirety, as potentially teaching, all or part of the

claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by

the Examiner.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The

examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to

8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nathan Flynn can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

February 15, 2007

NATHAN J. FLYNN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800